

AO 440 (Rev. 8/01) Summons in a Civil Action

*CM# 70060810000672487101*  
UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA

ETHEL ELDER

SUMMONS IN A CIVIL ACTION

V.  
SIMM ASSOCIATES, INC.

CASE NUMBER:

*2:06 cv 895-1D*

TO: (Name and address of Defendant)

SIMM ASSOCIATES, INC.  
C/O CSC LAWYERS INCORPORATING SERVICE, INC.  
150 S. PERRY STREET  
MONTGOMERY, AL 36104

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

DAVID G. POSTON, ESQ.  
BROCK & STOUT  
POST OFFICE DRAWER 311167  
ENTERPRISE, AL 36331

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

*Debra P. Hackett*

(By) *[Signature]*  
DEPUTY CLERK

DATE

*10-6-06*

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<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.